

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**IN RE:  
BILLY M TRULL &  
TAMMI K TRULL,**

**Debtors**

§ **CASE NO 12-46445-RFN**  
§  
§ **CHAPTER 13**  
§  
§ **Pre-hearing Conference**  
§  
§ **June 07, 2013 at 9:00 AM**  
§

**TRUSTEE'S OBJECTION TO LATE FILED PROOF OF CLAIM  
ON BEHALF OF CITIMORTGAGE INC, COURT CLAIM # 13 FOR \$1,326.51**

**TO THE HONORABLE U.S. BANKRUPTCY JUDGE:**

Now comes Tom Powers, the Standing Chapter 13 Trustee ("Trustee") and files the Trustee's Objection to the Late Filed Proof of Claim on Behalf of CITIMORTGAGE INC, pursuant to Rule 3007 of the Bankruptcy Rules of Civil Procedure, and the Trustee would respectfully show the Court as follows:

1. Debtors filed a Voluntary Petition under Chapter 13 of the Bankruptcy Code on or about November 28, 2012.
2. Additionally, the Debtors filed their Chapter 13 Plan on November 30, 2012, listing CITIMORTGAGE INC as a Secured Creditor -- Paid by the Trustee for the Homestead Arrears, with a Scheduled Amount of \$1,212.00 and a Value of \$105,300.00.
3. Debtors' Chapter 13 Plan was confirmed on March 13, 2013. Additionally, the Non-Governmental Claims Bar Date ended on April 02, 2013 and the Governmental Bar Date is May 27, 2013.
4. On or about April 03, 2013, CITIMORTGAGE INC filed a Proof of Claim, Claim Number 13 for the Homestead Arrears, Secured Claim amount of \$1,326.51.
5. The Trustee asserts that Claim 13 is a late filed claim and should be disallowed. The Trustee would show that a secured creditor must file a proof of claim to receive distribution under the plan and that failure to file the claim timely bars any distributions under the plan.

**WHEREFORE, PREMISES CONSIDERED**, the Trustee prays that the Court **DISALLOW** Claim 13, and for such other and further relief to which the Trustee is justly entitled.

Tom Powers  
Chapter 13 Standing Trustee  
6100 Western Place, Ste 1050  
Ft. Worth, TX 76107

Respectfully Submitted,

By: /s/ Jason Miller  
Jason Miller  
Bar No. 24043824  
Staff Attorney  
Tom Powers  
Chapter 13 Standing Trustee  
Bar No. 16218700  
6100 Western Place, Ste 1050  
Ft. Worth, TX 76107  
Telephone: (817) 916-4710

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing instrument was served on the date that the instrument was filed electronically. Service was accomplished to the parties listed below, in the manner listed below:

/s/ Jason Miller

Jason Miller

**ATTORNEY FOR DEBTOR (electronically)**

WARREN V NORRED  
200 E ABRAM STE 300  
ARLINGTON, TX 76010

**DEBTORS (1st class mail)**

BILLY M TRULL  
TAMMI K TRULL  
908 GAYE LN  
ARLINGTON, TX 76012

**CREDITOR (1st class mail)**

CITIMORTGAGE INC  
PO BOX 688971  
DES MOINES, IA 50368-8971

**US TRUSTEE (electronically)**

1100 COMMERCE STREET ROOM 976  
DALLAS, TX 75254

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Staff Attorney  
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